

Kentucky Department of Corrections

2013 PREA Annual Report



The Kentucky Department of Corrections mandates zero tolerance toward all forms of sexual abuse and sexual harassment.

The Prison Rape Elimination Act of September 4, 2003 (Public Law 108-79) was enacted by Congress to address the problem of sexual assault in all US penal facilities.

PREA supports the elimination, reduction and prevention of sexual assault/rape within our prisons, community corrections centers and local jails. PREA applies to Offender-on-Offender and Staff-on-Offender sexual misconduct.



Steven L. Beshear
Governor

J. Michael Brown
Secretary

Justice & Public Safety Cabinet

LaDonna H. Thompson
Commissioner
Department of Corrections

KDOC 2013 PREA ANNUAL REPORT – March 24, 2014

(In accordance with 28 CFR § 115.88)

The Kentucky Department of Corrections (KDOC) has long embraced the principles associated with the Prison Rape Elimination Act of 2003 (PREA). Years before PREA was passed, the KDOC had taken steps to actively train its staff on prohibited contact and inappropriate relationships as we worked toward prevention of sexual abuse within its facilities. In 2010, Kentucky demonstrated its zero tolerance of sexual abuse in confinement facilities by taking legislative action that made it a felony to commit such an act.

After the new Federal PREA standards were passed, the KDOC were quick to appoint a Department level PREA Coordinator to develop, implement, and oversee the Department's efforts to comply with the PREA standards. Although Kentucky was already practicing many of the required standards, it was important to complete a gap analysis to identify areas that needed revision. Once we completed this analysis, we developed a strategic plan to guide our compliance efforts.

Through working our strategic plan, in 2013 we were able to bring many areas of non-compliance, into compliance. Some examples of the progress made in addressing sexual abuse are the PREA training for all staff,

contractors and volunteers. We have made revisions to multiple policies to better guide our staff and offenders regarding incidents of sexual abuse. We have established a PREA Compliance Manager at each prison. We established and implemented both an Internal and External PREA Hotline to ensure multiple ways to report incidents of sexual abuse and sexual harassment. The Department has entered into a Memorandum of Understanding with the Kentucky Association of Sexual Assault Programs (KASAP) to provide offenders with necessary victim advocate support. We have trained PREA investigators across the state to include PREA Investigators within our local facilities. We have several projects that are on-going as we continue working toward compliance.

We believe that the growth that KDOC has experienced toward PREA compliance has created a more conducive reporting environment within our confinement facilities. KDOC has 12 Prisons and 35 contracted Community Confinement Facilities under its direct control. A review of the incident based data collected for these facilities in 2013 reflected 117 total allegations of sexual abuse with 25 substantiated, 56 unsubstantiated, and 36 unfounded. There were also 19 total allegations of sexual harassment with 6 substantiated, 11 unsubstantiated, and 2 unfounded. The above KDOC numbers reflect that all allegations are taken seriously and investigated. To view the aggregated data broken down by facility, [click here](#).

To ensure KDOC is improving our effectiveness on an ongoing basis, a review of the data collected and aggregated revealed two areas that warranted corrective actions. One was a specific operational change to require more restrictions on where offenders were allowed to be fully unclothed. The second occurred in many of the incident reviews that warranted an increase in video monitoring. It should be noted that in each facility review where the review team recommended additional video monitoring, the facility head approve the recommendation. All investigations of sexual abuse are reviewed in accordance with 28 CFR § 115.86 to ensure each facility continues to make appropriate changes where needed.

Approved by:

A handwritten signature in black ink that reads "LaDonna Thompson". The signature is written in a cursive, flowing style.

LaDonna Thompson

Commissioner, Kentucky Department of Corrections